

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

NORMAN E. LACEY,)	
)	
Plaintiff,)	
)	
v.)	CASE NO: 3:06-CV-1145-MEF
)	
CITY OF AUBURN,)	
)	
Defendant.)	

PLAINTIFF'S WITNESS AND EXHIBIT LIST

Comes Now, the Plaintiff, Norman E. Lacey, by and through his undersigned counsel of record and submits the following witness and exhibit lists:

1. Exhibit #1-Plaintiff's EEOC Charge;
2. Exhibit #2-Part 1-Plaintiff's Deposition w/exhibits;
3. Exhibit #3-Plaintiff's Resume`and Water Certifications;
4. Exhibit #4-Plaintiff's First Application;
5. Exhibit #5-City of Auburn Welcome Documents;
6. Exhibit #6-City of Auburn Benefits Documents;
7. Exhibit #7-City of Auburn Job Vacancy Posting;
8. Exhibit #8-Opelika-Auburn News Advertisement;
9. Exhibit #9-Lacey's Application for Water Distribution Position;

10. Exhibit #10-Job Description for Water Distribution Manager;
11. Exhibit #11-Lacey Applicant Evaluation Summary;
12. Exhibit #12-Hildreth Applicant Evaluation Summary;
13. Exhibit #13-Hildreth Application;
14. Exhibit #14-City of Auburn In-house Termination Checklist;
15. Exhibit #15-Certified Letter from City of Auburn Benefits Person;
16. Exhibit #16-City of Auburn Employment at Will Disclaimer;
17. Lacey back-pay chart;
18. All documents produced to the Defendant as part of Plaintiff's Initial Disclosures and responses to requests for production of documents;
19. All documents produced by Defendant in response to Plaintiff's Requests for Production of Documents;
20. Any documents listed by the Defendant that have not been produced; and
21. Defendant's answers to Plaintiff's First Interrogatories; and
22. Any document needed for rebuttal;
23. Any documents obtained as a result of the release of Plaintiff's personnel records obtained from Kellog, Brown and Root;
24. A demonstrative chart comparing Lacey's pay and hours worked v. City of Auburn's pay and hours worked.

LIST OF WITNESSES

1. Norman Lacey
c/o Winston Cooks, LLC
The Penick Bldg., Suite 203
319-17th Street North
Birmingham, AL 35203
2. Eric Carson
c/o Randall Morgan
Hill, Hill, Carter, Franco, Cole
& Black, P.C.
425 South Perry Street
Montgomery, AL 36104
3. Mikel Thompson
c/o Randall Morgan
Hill, Hill, Carter, Franco, Cole
& Black, P.C.
425 South Perry Street
Montgomery, AL 36104
4. Derek Godfrey
c/o Randall Morgan
Hill, Hill, Carter, Franco, Cole
& Black, P.C.
425 South Perry Street
Montgomery, AL 36104
5. Charles Howard
c/o Randall Morgan
Hill, Hill, Carter, Franco, Cole
& Black, P.C.
425 South Perry Street
Montgomery, AL 36104
6. Jill Holland

c/o Randall Morgan
Hill, Hill, Carter, Franco, Cole
& Black, P.C.
425 South Perry Street
Montgomery, AL 36104

7. Kathy Bullard
c/o Randall Morgan
Hill, Hill, Carter, Franco, Cole
& Black, P.C.
425 South Perry Street
Montgomery, AL 36104
8. Kyle Hildreth
c/o Randall Morgan
Hill, Hill, Carter, Franco, Cole
& Black, P.C.
425 South Perry Street
Montgomery, AL 36104
9. Rick McCarty
c/o Randall Morgan
Hill, Hill, Carter, Franco, Cole
& Black, P.C.
425 South Perry Street
Montgomery, AL 36104
10. Scott Cummings
c/o Randall Morgan
Hill, Hill, Carter, Franco, Cole
& Black, P.C.
425 South Perry Street
Montgomery, AL 36104
11. Any witnesses listed by the Defendant in its witness list.
12. Plaintiff reserves the right to call any witnesses needed for the purpose of

rebuttal or impeachment.

Respectfully submitted,
s/Roderick T. Cooks
Counsel for the Plaintiff

OF COUNSEL:

WINSTON COOKS, LLC
The Penick Building
319-17th Street North
Birmingham, AL 35203
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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing document on all persons listed below by Electronic Mail:

Randall Morgan, Esq.
Hilll, Hill, Carter, Franco,
Cole & Black, P.C.
425 South Perry Street
Montgomery, Alabama 36104
334-834-7600

Done this the 19th day of , 2008.

/s/Roderick T. Cooks
Of Counsel